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Attorneys for Defendant

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

-----X
MICHAEL AMARAL,

Plaintiff,

-against-

CIVIL ACTION NO.:04-11778 GAO

PENN MARITIME, INC.,

Defendant.
-----X

**Defendant's Disclosures
Pursuant to Fed.R.Civ. P. 26(a)(3)
And Local Rule 16.5 (c).**

Defendant Penn Maritime, Inc., by its attorneys, Kenny, Stearns & Zonghetti and Timothy McHugh, Esq., pursuant to the Federal Rules of Civil Procedure and local rules 16.5(c) make the following pretrial disclosures:

A. The name and, if not previously provided, the address and telephone number of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises:

1. Thomas Heath;
2. James Sweeney;
3. Raymond Neary (may be called if the need arises);
4. Benjamin Rosenstadt, M.D. (may be called if the need arises);

5. Charles DiCecca, M.D.
6. Custodian of Records of Underwood-Memorial Hospital (may be called if the need arises).
7. Custodian of Records of Southcoast Hospital Group (may be called if the need arises).

(B) The designation of those witnesses whose testimony is expected to be presented by means of a deposition, and, if not taken stenographically, a transcript of the pertinent portions of the deposition testimony;

1. Thomas Heath may be presented by deposition;
2. Benjamin Rosentstadt, M. D., may be presented by deposition.


(C) An appropriate identification of each document or other exhibit, including summaries of other evidence, separately, identifying those which the party expects to offer and those which the party may offer if the need arises.

1. Penn No. 2 log book, 2003;
2. Ladder requisition form and purchasing invoice;
3. Southcoast Hospital Group records;
4. Underwood Memorial Hospital records;
5. Photographs of Penn No. 2;
6. MRI report of Shields Health Care Group of May 20, 2003;
7. Records of Richard S. Jaslow, M.D., Inc. (may be introduced if need arises).
8. Penn Maritime, inc. Company standard incident report;
9. Records of maintenance and cure paid plaintiff by Penn Maritime, Inc.

10. Records of CORI (may be introduced if need arises).

Dated: New York, New York
January 27, 2005

Kenny, Stearns & Zonghetti
Attorneys for Defendant
Penn Maritime, Inc.

By: 
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